

REMARKS

Reconsideration in view of the foregoing Amendments and the following remarks is respectfully requested. Moreover, the Applicant has reviewed the First Office Action of October 24, 2003, and submits that this Amendment is responsive to all points raised therein.

Status of The Claims

Claims 8-11, 14-16, 23, 24 and 26-30 are pending in this application. Claims 1-7, 12, 13, 17-22 and 25 have been cancelled. Claims 8-11, 14-16, 23 and 24 have been amended. Claims 26-30 are newly presented.

Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 1-25 were rejected under 35 USC 112, second paragraph, for indefiniteness, while claims 12-15 and 17-25 were rejected under 35 USC 112, second paragraph, for being incomplete and lacking antecedents.

Initially, claims 1-7, 12, 13, 17-22, and 25 have been cancelled, whereby the rejections thereof are now moot.

It is respectfully asserted that claims 26 (new), 8-11, 14-16, 23 and 24 have been amended, such that these claims are no longer indefinite, and are complete. These claims recite structural relationships, and have proper antecedents. Accordingly, these claims are proper under 35 USC 112, second paragraph, whereby withdrawal of these rejections is respectfully requested.

Rejections Under 35 U.S.C. §103(a)

Claims 1, 7-11, 14, 15 and 22-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fehr (U.S. Patent No. 5,036,610) in view of Frankel, et al. (U.S. Patent No. 6,449,611) (Frankel).

Initially, claims 1, 7, 22 and 25 have been cancelled, whereby rejections thereof are now moot.

Additionally, although not specifically rejected, claim 16 will be discussed here, as claims 23 and 24, dependent on claim 16, have been rejected here.

Independent claim 26, in replacement of claim 1, is directed to a method of locating lost pets, that includes recitations for the use of a two-sided rabies tag. In this system, a rabies tag is issued to the pet, with rabies information on one side and information on how to access a host computer on the other side. The rabies tag is standard for all pets, and is typically issued to the pet by an approved issuing authority, such as a veterinarian. As a result of this two-sided rabies tag, rabies information can be matched in the host computer. If there is a match of rabies information, the lost pet's finder is provided contact information for the pet's owner.

Claim 11 has been amended to recite a computer program that utilizes the aforementioned two-sided rabies tag. Claim 16 has been amended to recite a system comprising a host computer that utilizes the aforementioned two-sided rabies tag.

Fehr is directed to a pet collar with a identification number for the pet and a telephone number to call, to provide the identification number to a central clearing house. Once the information from the collar is communicated to the central clearing house, the lost pet's owner can be contacted. This collar issued for the pet is issued by a private party. This is in contrast to the claimed invention, where rabies information from a rabies tag is provided only by an approved issuing authority.

Frankel is directed to a system for locating missing or stolen goods or missing persons or fugitives. It is completely silent as to rabies tags or rabies information. As such, it adds nothing to Fehr.

Since Fehr, as modified with Frankel, remains structurally deficient, the Examiner's proposed combination falls short of the claimed invention. Both Fehr and Frankel are silent as to rabies tags and use of the information therefrom. Accordingly, claims 26, 11 and 16 are non-obvious under 35 USC 103(a), in view of the art of record.

Since claims 26, 11 and 16 are non-obvious over the art of record under 35 USC 103(a), claims 8-10 and 27, 14 and 15, and 23 and 24, respectively dependent thereon, are also non-obvious under 35 USC 103(a) and allowable over the art of record for the same reasons. These claims further distinguish the invention over the art of record.

Claims 2-6, 12, 13 and 17-21 were rejected under 35 USC 103(a) as being unpatentable over Fehr in view of Frankel, in further view of Shorrock, et al (U.S. Patent No. 6,283,065) (Shorrock).

It is respectfully asserted that these claims 2-6, 12, 13 and 17-21 have been cancelled, whereby this rejection is moot.

Additional Remarks and Conclusion

New claims 27-30 have been added to round out the scope of the invention. Claim 27 is dependent on claim 26, and it is respectfully asserted that it is allowable over the art of record for the same reasons as claim 26.

Claims 28-30 are directed to a two-sided rabies tag of the present invention. It is respectfully asserted that the art of record fails to show, teach, or suggest the claimed rabies tag, whereby these claims are allowable over the art of record.

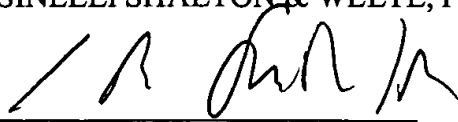
The applicant notes the citations of Scott (U.S. Patent No. 5,878,116), Printz (U.S. Patent No. 6,003,473), Durst, et al. (U.S. Patent No. 6,172,640) and Shorrock, et al (U.S. Patent No. 6,283,065) to complete the record.

Should the Examiner have any questions or comments as to the form, content, or entry of this paper, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Allowance of all pending claims, claims 8-11, 14-16, 23, 24 and 26-30, is respectfully requested.

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